

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICHARD CHAKEJIAN,

Plaintiff,

vs.

CIVIL ACTION NO.07-2211
CLASS ACTION

EQUIFAX INFORMATION
SERVICES, LLC.,

Defendants.

~~~~~

**DEPOSITION OF**  
**RICHARD CHAKEJIAN**

July 18, 2008  
10:25 a.m.

Francis & Mailman, P.C.  
Land Title Building  
19th Floor, 100 South Broad Street  
Philadelphia, Pennsylvania 19110

Joseph P. Dromgoole, a Professional  
Reporter and Notary Public in the  
Commonwealth of Pennsylvania.



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1 reading the docket and/or everything associated with  
2 the civil action number listed, which I believe, I'm  
3 not sure, but I would believe would encompass the  
4 nature of this case, without going through that kind  
5 of detail it would be difficult to be specific as to  
6 whether that was self and/or Dad into the  
7 circumstances surrounding it.

8 Q. I'm not exactly following you. Let me  
9 ask this again.

10 Do you know if you or your business was  
11 a party to the first lawsuit that's listed here?

12 A. Without reading through the whole civil  
13 action number and/or what the case was about it would  
14 be tough to remember exactly.

15 Q. Do you remember getting sued in 1996 by  
16 somebody named Goldner?

17 A. No, not as specific to that date. No.

18 Q. Okay.

19 A. Again, I would have to read through the  
20 action.

21 Q. All right. Do you ever remember being  
22 sued by somebody named Goldner?

23 A. Well, I remember a dispute with -- with  
24 a Michael Goldner over some fees that I believe were  
25 due to me based upon a consultation to one of his

1 clients to get financing at a bank. And I believe  
2 there was a dispute back and forth that arose out of  
3 that, but I'm not sure if that is the first thing,  
4 the second thing or the third thing. So when you ask  
5 me which one it is, I'm not sure. I also know that  
6 back on or around those days my father had a dispute  
7 with the Goldner, Sr. who did go to Lower Merion and  
8 was in that class you mentioned over accounting  
9 fees. So I'm not sure which it is. And -- and when  
10 you ask me -- why I said I'd have to read the actions  
11 to be specific that's the reason I answered that  
12 way. The caption and the civil action number aren't  
13 detailed enough to determine that from a glance of a  
14 roster of cases that have like names attached to  
15 them.

16 Q. Well, you knew when you read the  
17 interrogatories that Equifax was asking for a list of  
18 cases in which you were involved, right?

19 A. Yes.

20 Q. So you wouldn't have provided us with a  
21 lawsuit that you weren't involved in, right?

22 MR. SOUMILAS: Object to the  
23 form.

24 THE WITNESS: That's not the  
25 answer. The answer is --

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1 a fuller view of the case.

2 Q. Were any of these cases class actions,  
3 any of the cases on this list?

4 A. To my knowledge absolutely -- no, I  
5 don't think so.

6 Q. Did any of these cases result in a  
7 judgement against you?

8 A. That I don't know. I'd have to look at  
9 them specifically to determine that.

10 Q. All right. And we'll do that.  
11 The first one, going back to that one  
12 again, as we sit here you can't tell us what that  
13 case was about, can you?

14 A. No.

15 Q. And you don't know if any judgement was  
16 lodged against you in that case, do you?

17 A. I don't know, no.

18 Q. The second case, the Goldner and  
19 Associates, P.C. case, do you know what that case was  
20 about?

21 A. Well, with respect to Goldner --  
22 Goldner one, Goldner two and Goldner three I'm not  
23 sure which is specific. I will tell you and repeat  
24 that a dispute did arise with a Goldner. I don't  
25 remember exactly when, again, over some fees based

1 upon a consultation as it related to some bank  
2 financing to a third party. Which of those relates  
3 specifically to that I don't know. And when I  
4 answered with respect to specifically looking at it,  
5 it would be -- I was not referring to going down the  
6 list with -- point by point but moreover to reviewing  
7 the actual action and the documents associated with  
8 the action.

9 Q. Sure. One of these lawsuits then is  
10 likely related to the situation you just described?

11 A. I would think so, yes.

12 Q. But you're not sure which one?

13 A. No.

14 Q. Do you know if there was any judgement  
15 entered against you in this second one on the list?

16 A. I don't think so.

17 Q. And the third case. Again, we  
18 mentioned Goldner already.

19 You don't know specifically what that  
20 case was about? It might have been the situation you  
21 previously described?

22 A. Correct.

23 Q. And do you know if there was any  
24 judgement issued against you in that case?

25 A. I do not.

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1 you believe that relates to you or your father?

2 A. I don't know.

3 Q. Do you know someone named Williams?

4 A. No, I don't.

5 Q. So you don't know what that case was  
6 about?

7 A. What date was that case?

8 Q. It says 1993, 9306.

9 A. Okay.

10 Q. I don't know. I don't know if that's  
11 how the numbers work or not.

12 A. It could be -- it could be -- I mean a  
13 very hypothetical guess would be that perhaps some of  
14 these have to do with some of Dad's dry-cleaning  
15 customers that had nuances with articles of clothing,  
16 et cetera.

17 Q. Sure. Look, all I know is I got a list  
18 of lawsuits. We asked for a list of lawsuits you  
19 were involved in.

20 A. Right.

21 Q. This is what I got. Okay? So I got to  
22 go through each one.

23 A. You can. I'm just -- you know, I wish  
24 I could be more helpful, but all I can point to is  
25 based upon a public record search. And

1 unfortunately, those searches don't distinguish  
2 between full names and full dates of birth and the  
3 actual identity.

4 Q. Well, did you do the search?

5 A. I'm sorry?

6 Q. Did you do the public records search  
7 yourself?

8 A. No.

9 Q. But you know when this list was  
10 prepared you knew that you didn't recall being sued  
11 by someone named Williams, right?

12 A. I may not have looked at it in as  
13 thorough detail as perhaps I would have liked to  
14 determine that. And -- and it would have been  
15 helpful, I guess, to have civil action numbers, the  
16 detail associated with them.

17 Q. All right. And the next case is  
18 Davis.

19 Do you recall being sued by someone  
20 named Davis?

21 A. No.

22 Q. So you don't know what that case is  
23 about?

24 A. I don't know.

25 Q. And you don't know if any judgement was

1 A. I don't think so. I think that was --

2 Q. Dismissed by the judge?

3 A. Withdrawn, dismissed, settled. I'm not  
4 sure of the actual circumstance. But if it's '04 --  
5 my dates are a little confused with regard to the  
6 Taraus involuntary, but, you know, like I said, his  
7 behavior was in that kind of manner.

8 Q. And I --

9 A. Litigation is leverage.

10 Q. I can't tell you that's exactly what  
11 those civil action numbers mean. That's more of a  
12 guess.

13 A. Okay. Well, if your guess was accurate  
14 that would be my response to it.

15 Q. The Crusader Bank FSB, do you recall  
16 being sued by them?

17 A. I do.

18 Q. Why did they sue you?

19 A. I was a surety for First Chesapeake  
20 Financial along with several other individuals. As  
21 you recall -- as I think about it further, I had  
22 resigned prior to that dismissal based upon the  
23 monies that were due me and not seeing eye to eye  
24 with the principles of the company. Prior to that  
25 resignation the company had obtained financing and --



1 and -- and was due current while I served in the  
2 capacity of -- post -- post my resignation and/or  
3 termination, whichever view you'd like to take, it  
4 really isn't significant, but the company sometime  
5 later, six months after that had gone into default  
6 with the credit facility, with Crusader. Crusader  
7 took judgements against, I believe, each and ever  
8 surety that they had on that credit facility.

9 Q. All right. So in that case they got a  
10 judgement against you?

11 A. I believe they did, yes.

12 Q. Did you have an attorney who  
13 represented you in that?

14 A. At the time of the judgement I didn't,  
15 but when I -- after it was assigned, yes, I did have  
16 an attorney.

17 Q. Who represented you?

18 A. Walter Weir.

19 Q. And you say after the fact.

20 Did the case go to trial and a  
21 judgement was entered against you?

22 A. No. No, the company entered into, I  
23 believe, a forbearance with the bank. And again, I  
24 wasn't operational with the company for, I believe,  
25 at that time eight or nine months prior. But they

1 eventually -- eventually honored the forbearance  
2 or -- or modifications. I -- I don't remember. All  
3 I know is the company paid their bill and -- and I  
4 had no obligations. And I don't know if Walter  
5 relieved me of that prior because I had resigned and  
6 was not around when it had gone into default. I do  
7 know a valuable lesson is not to act as surety for  
8 things in which you don't control, but beyond that --

9 Q. I agree with you there.

10 A. Yeah.

11 Q. You know, looking at the question that  
12 resulted in you giving us this list --

13 A. Where is the question?

14 Q. It starts on the prior page, Number 16  
15 at the very bottom. It says identify all other  
16 lawsuits in which you were a party, including, but  
17 not limited to, civil, criminal, and/or bankruptcy  
18 proceedings, and list for each suit the case number,  
19 which you've given us, the name of the court, which  
20 you've given us, the style of the case, which you've  
21 given us, the subject matter.

22 You haven't provided us in this  
23 response to the written interrogatory the subject  
24 matter of any of these cases, have you? That's what  
25 we're going through now.

1           A.           Yeah. I mean honestly I wouldn't know  
2 what style means with respect to these rosters.

3           Q.           No, I'm asking about the subject matter  
4 of the case.

5                        You see that Equifax asked you in this  
6 interrogatory to provide the subject matter of each  
7 case, right?

8           A.           Where is that?

9           Q.           At the very top of the page.

10          A.           Okay. So -- so 16 is something that  
11 you folks had asked for?

12          Q.           That's correct. It was a written  
13 question.

14          A.           Or your client had asked for?

15          Q.           It's a written question. Right.

16          A.           And -- and in that written question I'm  
17 telling you I wouldn't understand what style meant.

18          Q.           I understand. But you understand what  
19 the subject matter of a case is, right? Subject  
20 matter, you understand what that terms means?

21          A.           Yes.

22          Q.           In fact, you just described for us the  
23 subject matter of the Crusader Bank?

24          A.           Because I could.

25          Q.           Right. Because you can.

1                   You didn't provide that in the written  
2 response, though, did you?

3                   MR. SOUMILAS: I'll object to  
4 the form.

5                   THE WITNESS: I don't -- I  
6 don't remember.

7                   MR. PERLING: Well, it's not  
8 here on the paper.

9                   THE WITNESS: Is this is my  
10 written response?

11                  MR. PERLING: Yes, sir.

12                  THE WITNESS: Then -- then  
13 apparently not beyond what I have responded  
14 to.

15 BY MR. PERLING:

16       Q.           And what was the amount in controversy  
17 in the Crusader Bank FSB matter?

18       A.           I don't remember the exact amount.

19       Q.           But you haven't provided us the amount  
20 in controversy in any of these cases, have you?

21       A.           If that's what the responses reflect I  
22 would agree with you.

23                  MR. SOUMILAS: For  
24 clarification of the record, the rest of the  
25 interrogatory response reads information

1 Q. The City of Philadelphia versus  
2 Chakejian case, do you remember what that was about?

3 A. I don't.

4 Q. Do you know if that was a case against  
5 you?

6 A. I don't.

7 Q. Do you know if there was any judgement  
8 against you in that case?

9 A. I don't believe there's any judgement  
10 against me.

11 Q. The Weddington, et al versus Chakejian  
12 case, do you know what that was about?

13 A. No.

14 Q. Do you know if that was a case against  
15 you?

16 A. No.

17 Q. Do you know if there was any judgement  
18 against you in that matter?

19 A. I don't know.

20 Q. There's another case in the Common  
21 Pleas Court by Chakejian CNA Insurance.

22 Did you ever sue CNA Insurance?

23 A. No.

24 Q. So you believe that doesn't relate to  
25 you then?

1 A. I do not believe that relates to me.

2 Q. There's a City of Philadelphia versus  
3 Arcadia Cleaners, Inc., et al.

4 Do you know if that case relates to  
5 you?

6 A. I don't believe so, no.

7 Q. There's another Goldner case here  
8 versus -- Goldner versus McErlean. Am I saying that  
9 right? McErlean?

10 A. McErlean.

11 Q. Do you know what that case was about?

12 A. I don't know in its entirety, no.

13 Q. Do you know somebody named McErlean?

14 A. I do.

15 Q. Who is that?

16 A. He would be the guy who filed the  
17 involuntary bankruptcy against me.

18 Q. Was Mr. Goldner involved in the  
19 involuntary bankruptcy case?

20 A. No, not beyond the fact that he was  
21 part of a group in which I was a part of and/or  
22 consultant to that was endeavoring on development of  
23 a certain piece of real estate that several parties  
24 perceived to have value.

25 Q. But both of these individuals, Goldner

1 A. Yes.

2 Q. Next is a Ryder Truck Rental, Inc. et  
3 al. versus Jarrett, et al.

4 Do you know if you were involved in  
5 that lawsuit?

6 A. Jarrett was a truck driver for one of  
7 my father's linen companies and I, I guess, was  
8 brought into answer some questions as the supervisor  
9 of the drivers.

10 Q. Well, did that involve you?

11 A. No, not beyond my capacity as a manager  
12 for the drivers of the linen company.

13 Q. But you're named in that lawsuit; is  
14 that right?

15 A. If that's what this says. You know,  
16 again, you're getting into the technicality of  
17 lawsuits and filings. I take it face value looking  
18 at this it suggests that I am named. If you're  
19 asking me what I know about Ryder and Jarrett I told  
20 you that.

21 Q. All right. So you don't know what this  
22 lawsuit is about other than that Mr. Jarrett was a  
23 driver for one of your father's linen companies?

24 A. Yes.

25 Q. So you don't know why you were named in

1 the lawsuit?

2 A. I don't, no. I suspect that because I  
3 was a manager and had some supervisory role as it  
4 related to drivers' routes and designations, et  
5 cetera.

6 Q. Do you know if there was any judgement  
7 against you in the case?

8 A. I don't think there was.

9 Q. There is one here for City of  
10 Philadelphia versus Payroll Manager, Inc.

11 Do you remember what that lawsuit was  
12 about?

13 A. I don't know.

14 Q. Do you know if there was any judgement  
15 against you in that case?

16 A. I don't think so, no.

17 Q. Now, the Hampton Bensalem Associates  
18 case, you already told us a little about that one.

19 Was that a case against you?

20 A. No.

21 Q. Bankruptcy court?

22 A. No. Well --

23 Q. Were you a creditor to the Hampton  
24 Bensalem Associates, LP?

25 A. No, O'Neil Properties owed an entity in